PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JANUARY 22 19 80

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING January 22 A.D., 19 80, IN Regular SESSION. PRESIDENT Vivian G. Schmidt IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. ✓,
SCHOMBURG ✓, STIER ✓, TALARICO A,
ABSENT
COUNCILMAN , , ,
, , ,

THE INVOCATION WAS GIVEN BY

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF , 19 . MOTION MADE AND CARRIED THAT REPORT BE MADE A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR January 8, 19 80,
, 19 ,
Reorganization ~~SPECIAL~~ January 7, 19 80,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CLERK

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD

Tuesday - January 29, 1980 - 7:00
Common Council Chambers Room 126

We, the undersigned, being [redacted] members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on Tuesday - January 29, 1980 at 7:00 o'clock P.M., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of regarding Bill No. G-80-01-25 AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System, for action and passage.

Vivian G. Schmidt

Roy Esher

Mark E. Gerdt

Jim Etter

John Nuckols

R. J. Schonly

DATED THIS 22nd day of January, 1980

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: _____

_____
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Eisbart, and duly adopted, ~~placed on its passage. PASSED (LOST) by the following vote:~~ to hold a special session on Tues Jan 29th 7:00 for Bill No _____

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	6	2		1	
BURNS		X			
EISBART	X				
GiaQUINTA	X				
NUCKOLS	X				
SCHMIDT, D.		X			
SCHMIDT, V.	X				
SCHOMBURG	X				
STIER	X				
TALARICO				X	

DATE: _____

_____
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____

on the _____ day of _____, 19_____.

ATTEST: (SEAL)

_____
CHARLES W. WESTERMAN - CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ M.,E.S.T.

_____
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19_____, at the hour of _____ o'clock ____ M.,E.S.T.

Notice was received & receipt it to attached order of special session

_____
WINFIELD C. MOSES, JR.
MAYOR

the notice was served on the nine elected Councilmen by the City of Ft. Wayne. [illegible] notice attached to [illegible]

APPOINTMENTS TO THE ALLEN COUNTY ECONOMIC OPPORTUNITY COUNCIL, INC.

January 22, 1980

The following presons were appointed by Common Council to the Allen Conty Economic Opportunity Council, Inc.:

Angela Wright
Reverend James Hall
Thomas Lembach

DATED: 1-22-80 — Charles W. Westerman, City Clerk

Made a matter of record 1-22-80 — Charles W. Westerman, City Clerk

Allen County Economic Opportunity Council, Inc.
P.O. Box 704 • Fort Wayne, Indiana 46801 • Telephone 219—423-3546
"Helping People Help Themselves"
Christine M. Seitz • Executive Director

Appointment
1/28/80

January 11, 1980

Ms. Vivian Schmidt
City Council President
2621 East Maple Grove Road
Fort Wayne, Indiana

Dear Ms. Schmidt:

In September 1979 three individuals were selected to serve on the ACEOC Board of Directors by the City Council. In order to maintain their legal representation on the Board, the newly elected City Council must re-approve these three individuals: Angela Wright, Robert Nichols, Reverend James Hall.

We would appreciate this item being placed on the agenda of the next meeting of City Council. Once City Council approves these appointments a letter of verification should be sent to the address listed above.

Thank you for your cooperation, we look forward to working with City Council in addressing the needs of the poor.

Sincerely,

Christine M. Seitz
Executive Director

cc: Luella Bishop
Membership Committee

Robert Bolenbaugh
ACEOC Chairman

County Commissioners

CMS/kme
011180

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

1/22/80

MADE A MATTER OF RECORD

DATE_____CHARLES W. WESTERMAN, CITY CLERK

January 9, 1980

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 9, 1980, I have approved the following ordinances passed by the Common Council at its regular meeting of January 8, 1980.

(Bill No. S-79-12-03)
SPECIAL ORDINANCE NO. S-01-80

AN ORDINANCE approving an Agreement to Purchase Real Estate from First Federal Savings & Loan Association for Neighborhood Care, Inc.

(Bill No. R-79-12-05)
RESOLUTION NO. R-01-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $5,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-79-12-06)
RESOLUTION NO. R-02-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $400,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-02)
RESOLUTION NO. R-03-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $3,300,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-03)
RESOLUTION NO. R-04-80

A RESOLUTION CALLING FOR WITHDRAWAL OF THOSE PORTIONS OF SENATE BILL NO. 76 DEALING WITH PROHIBITION OF CONDEMNATION ACTIONS AGAINST PUBLIC UTILITIES BY MUNICIPALITIES

(Bill No. Z-79-07-32)
ZONING MAP ORDINANCE NO. Z-01-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-11

(Bill No. Z-79-11-49)
ZONING MAP ORDINANCE NO. Z-02-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. T-18

(Bill No. Z-79-11-51)
ZONING MAP ORDINANCE NO. Z-03-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-38

(Bill No. G-79-12-14)
GENERAL ORDINANCE NO. G-01

AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1975

(Bill No. S-79-12-16)
SPECIAL ORDINANCE NO. S-02-80

AN ORDINANCE approving Change Order No. 5, Water Contract No. 77-W-2, in connection with Water Works Improvements, Filtration Plant Additions

Bill No. R-79-11-59)
RESOLUTION NO. R-05-80

A RESOLUTION RECOMMENDING STUDY OF REMOVAL OF LIME SLUDGE AND SILT BUILD UP ADJACENT TO THE FILTRATION PLANT AND NEAR THE CONFLUENCE OF ST. MARY'S AND MAUMEE RIVER

(Bill No. R-80-01-10)
RESOLUTION NO. R-06-80

A RESOLUTION AUTHORIZING EMPLOYMENT OF FIRM FOR FEASIBILITY STUDY OF CITY OF FORT WAYNE ACQUISITION OF ELECTRIC UTILITY SYSTEM AND AUTHORIZING APPOINTMENT OF AD HOC COMMITTEE TO NEGOTIATE CONTRACT

Respectfully yours,

Winfield C. Moses, Jr.
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

1/22/80
DATE

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

January 22, 1980

To the Common Council
Fort Wayne, Indiana

Dear Mrs. Schmidt and Gentlemen:

As you are aware, in the case of Bentley et al. vs. the City of Fort Wayne, the judgement rendered by Judge Bloom has been affirmed by the Indiana Court of Appeals. The fifteen firefighters covered by the judgement are now entitled to payment of the differential in pay together with 8% interest.

The computation of the exact amount owed is now being calculated. It is my estimate that the total will be approximately $155,000. The final tabulation will be available for the hearing in Judge Bloom's court, now scheduled for Monday, January 28, 1980. At that time, a specific dollar judgement will be entered into the court record.

To prevent any unnecessary increase in the total amount owed because of continuing interest charges, it is my intention to present a check to the clerk of courts immediately after that hearing. These funds will be drawn from the Fire Department's Salaries and Wages Budget Line (4-02-010-015-4111). Since we are in the first month of the 1980 fiscal year, there is a sufficient balance to cover this expenditure.

Obviously, this expenditure from the salary line will have to be replenished by way of an additional appropriation. I will return to the Common Council at the earliest possible time to present such an appropriation ordinance.

Respectfully Submitted,

Frank W. Heyman
City Controller

FWH/kme
012280

AN EQUAL OPPORTUNITY EMPLOYER

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 2/80/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

William H. White

William White, Member
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 2/80/D)

I hereby certify that I did this 8th day of January, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 2/80/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

William H. White

~~XXXXXXXX~~, Board of Public Safety
Member

REGULATORY RESOLUTION NO. 2/80 /D

(Adopted January 8 , 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED) ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 7 , 1980 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective January 8 , 1980 , and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Howell St. -- preferential -- at Rumsey Ave.

1/22/80
DATE

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 3/80/E
4/80/D
5/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

William H. White
Member, Board of Public Safety

/

1-22-80
DATE

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 3/80/E / 4/80/D)

I hereby certify that I did this 16th day of January, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 3/80/E / 4/80/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

William H. White

~~XXXXXXXX~~, Board of Public Safety
~~XXXXXXXX~~
Member

RETURN CERTIFICATE

(Regulatory Resolution No. 5/80/E)

I hereby certify that I did this 17th day of January, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 5/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

William H. White

~~CHAIRMAN~~, Board of Public Safety Member

REGULATORY RESOLUTION NO. 3/80 /E

(Adopted January 16, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 11, 1980, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 16, 1980, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Red Haw Dr. -- stop -- Cinnamon Rd.

REGULATORY RESOLUTION NO. 4/80 /D

(Adopted January 16, 19 80)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED) ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 11, 1980, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective January 16, 19 80, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:
PREFERENTIAL INTERSECTION (DELEGATED)

Cinnamon Rd. -- preferential -- at Red Haw Dr.

MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 5/80 /E

(Adopted January 16, 19 80)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 15, 19 80, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 16, 19 80, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY)

Randallia Dr. -- west side -- from 150 ft. no. of Lake Ave. to Nevada Ave.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 22nd day of January, 19 80 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19_____.

_____
Charles W. Westerman
City Clerk